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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURO V. PEREZ,

Petitioner,

No. CIV S-07-0544 LKK DAD P

vs.

D.K. SISTO et al.,

Respondent.

ORDER

_____/

Petitioner, a state prisoner, is proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner has filed an in forma pauperis affidavit in which he states that he is presently employed and that his amount of pay is \$19.00. As of March 8, 2007, petitioner had the sum of \$1,296.66 on account at California State Prison - Solano. In addition, during the past six months, the average of monthly deposits to petitioner's account was \$45.81.

Pursuant to federal statute, a filing fee of \$5.00 is required to commence a habeas corpus action in federal district court. 28 U.S.C. § 1914(a). The court may authorize the commencement of an action "without prepayment of fees and costs or security therefor, by a person who makes affidavit that he is unable to pay such costs or give security therefor." 28 U.S.C. § 1915(a).

